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SPECIFIC GROUPS AND INDIVIDUALS

MASS EXODUSES AND DISPLACED PERSONS

Report of the Representative of the Secretary-General on internally displaced persons, Francis M. Deng, submitted pursuant to Commission on Human Rights resolution 2002/56*

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* In accordance with General Assembly resolution 53/208B, paragraph 8, this document is submitted late so as to include the most up-to-date information possible.

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Executive summary

In 1992, in response to growing international concern about the large number of internally displaced persons throughout the world and their need for assistance and protection, the Commission on Human Rights, in resolution 1992/73, requested the United Nations Secretary-General to appoint a representative on internally displaced persons. Francis M. Deng (Sudan) was appointed to this position. The mandate of the Representative has since been renewed by the Commission four times (in resolutions 1993/95, 1995/57, 1998/50 and 2001/54).

On the occasion of the tenth year of his mandate, the Representative presents in this report not only the developments since his report to the previous session of the Commission (E/CN.4/2002/95 and Add.1-3) but also an overview of the progress made over the last decade and the challenges that remain to be overcome in responding effectively to the global crisis of internal displacement. The report first reviews the development of the Guiding Principles on Internal Displacement and their increasing use by Governments, regional bodies, international agencies, non-governmental organizations and local groups in all regions of the world; it then traces the institutional reforms designed to strengthen the response to internal displacement, highlights the country missions undertaken by the Representative this past year (the reports of which constitute addenda to this report) as well as those he hopes to undertake in the near future, and summarizes the development and current directions of the Representative's research agenda. Finally, it reviews the progress of the mandate and concludes with a discussion of the importance of addressing the underlying causes of displacement.

Six addenda are appended to this year's report. Addenda 1, 2, 3 and 4 consist of reports on the Representative's missions to the Sudan, Turkey, Mexico and the Philippines, respectively. Addendum 5 is a report of a seminar on internal displacement in the Russian Federation, held in Moscow on 25 and 26 April 2002. Addendum 6 is a report of a seminar convened by the Representative, the Brookings Institution-SAIS Project on Internal Displacement and the United Nations Children's Fund (UNICEF) on internal displacement in southern Sudan, which took place in Rumbek, Sudan, on 25 November 2002.

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Introduction

1. In 1992, the United Nations Commission on Human Rights requested the Secretary-General to appoint a representative on internally displaced persons. Francis M. Deng has served in this position since that time. As the year 2002 marked the mandate's tenth anniversary, the Representative considers it appropriate not only to report about developments since the fifty-eighth session of the Commission, but also to take stock of the achievements over the past decade as well as of ongoing challenges facing the international community and, therefore, his mandate in addressing the global crisis of internal displacement. This was, indeed, the theme of an international seminar held in December 2002 in Vienna hosted by the Governments of Austria and Norway. The seminar gathered representatives from United Nations agencies, regional bodies, non-governmental organizations (NGOs), and research institutions that have been engaged with the issue of internal displacement over the years. Many of the valuable insights and recommendations developed at that seminar, to be published later this year, are reflected in the present report.[1]

2. Overall, it can be said that important progress has been made over the past decade, as reflected in particular in heightened worldwide awareness of the problem of internal displacement, the development and increasing use of the Guiding Principles on Internal Displacement as the normative framework for protecting the rights of the internally displaced, the development of policies at the international, regional and national levels, and various improvements in institutional arrangements and response. And yet, internal displacement remains a worldwide crisis of epic proportions, affecting some 25 million people, counting just those uprooted by conflict, civil strife and gross abuses of human rights alone, many of whom continue to suffer without adequate assistance or protection from their Governments and the international community. While many States, international agencies, regional organizations and NGOs have acknowledged the scope and severity of the problem and committed themselves to action in support of the internally displaced, there remain important disparities between these commitments and realities on the ground. Addressing these gaps at field level will require not only renewed effort along the lines of the work already established by the mandate, but also innovative approaches to ensure greater accountability of States, international agencies and regional organizations for the protection and assistance of the internally displaced.

3. This report provides an overview of the global crisis of internal displacement, reviews the evolution of the international response, charts the activities of the mandate, evaluates progress made and identifies remaining challenges, and concludes with a discussion of the critical importance of addressing the underlying causes of internal displacement so as to ensure truly effective and lasting solutions.

I. OVERVIEW OF THE CRISIS

4. When the magnitude of the problem of internal displacement was first assessed in 1982, there were reported to be 1.2 million internally displaced persons in 11 countries. A decade later, the Secretary-General reported to the Commission that the number had risen to 24 million (E/CN.4/1992/23, para. 5). Today, there are an estimated 25 million internally displaced persons in some 50 countries around the world. Moreover, whereas refugees outnumbered internally

displaced persons by a factor of 10 to 1 in 1982, today there are twice as many internally displaced persons as there are refugees. Despite 10 years of work on the issue of internal displacement, the magnitude of the problem is just as grave today as it has ever been.

5. The internally displaced are forced to flee or leave their homes for a variety of reasons, most commonly including armed conflict, other situations of generalized violence, gross violations of human rights, and natural or human-made disasters. Although all persons subject to such circumstances suffer, those who are uprooted from their homes are particularly vulnerable. Displaced persons suffer significantly higher rates of mortality than the general population; in Somalia in 1992, the rate was 50 times greater.[2] They also remain at high risk of physical attack, sexual assault and abduction, and frequently are deprived of adequate shelter, food and health services. The overwhelming majority of internally displaced persons are women and children who are especially at risk of abuse of their basic rights and experience additional vulnerabilities. More often than refugees, the internally displaced tend to remain close to or become trapped in zones of conflict, caught in the cross-fire and at risk of being used as pawns, targets or human shields by the belligerents.

6. Many of the internally displaced would be considered refugees if they had crossed a State border, in which case they would benefit from the rights and status provided by international refugee law and the protection and assistance of the Office of the United Nations High Commissioner for Refugees (UNHCR). Internally displaced persons, by definition, remain within the borders of their own States. Consequently, the primary responsibility for their protection and assistance lies with their own Governments. However, their Governments are often unable or unwilling, particularly in conflict situations, to provide such assistance and indeed sometimes are themselves the primary cause of displacement.

7. In order to deal with this contradiction, the Representative has promoted a concept of national sovereignty as a form of State responsibility to protect and assist those at risk under its authority, with international cooperation if necessary. In this sense, sovereignty accords States the privilege of non-intervention in their internal affairs, but subject to the obligation to ensure the protection of the human rights of their citizens and all those in their territory. This basic principle of State responsibility is a major theme of the Charter of the United Nations, the International Bill of Human Rights, and other instruments and sources of human rights and humanitarian law.[3]

II. EVOLUTION OF THE INTERNATIONAL RESPONSE

8. Both the explosion in the number of internally displaced persons and the evolution of the international response find their origins in the dynamics of the end of the cold war. In many of the affected countries, ethnic, religious, class and social cleavages at the core of the conflicts causing massive displacement were created or deepened during long periods of cold war superpower domination. In the post-cold war context, these divisions, which in many cases had been suppressed or managed through the bipolar control mechanisms of the superpowers, found violent expression as the nature of war shifted from inter-State confrontations to predominantly inter-communal conflict in which civilians are the main victims. At the same time, the breaking

of the logjam between East and West allowed the international community the possibility to come together in response to situations of gross abuses of human rights in ways previously deemed unthinkable.

9. Internal displacement first began to draw the attention of the international community through NGOs, the international media, and eventually through vocal elements of certain international agencies and Governments. However, with the sensitivity of national sovereignty at the heart of the issue, the question arose as to how the international community could best respond. The result was to create a special mechanism of the Commission, in the form of a representative of the Secretary-General, rather than a special rapporteur. In 1992, the Representative was appointed for one year; his mandate subsequently has been extended for two-year and then three-year terms, most recently in 2001.

III. ACTIVITIES OF THE MANDATE

10. Over the 10 years of the mandate, the Representative's role has been to serve as an advocate or "ombudsman" for the internally displaced, raise awareness of the crisis of internal displacement, and act as a catalyst for effective responses at all levels - national, regional and global. In that capacity, the Representative has identified four main "pillars" of work, each of which will be addressed below: developing and promoting a normative framework for responding to internal displacement; fostering effective institutional arrangements at the international, national and regional levels; focusing attention on specific situations, including through country missions; and undertaking research to deepen understanding of the problem of internal displacement and identify means for most effectively addressing it.

A. Development and promotion of a normative framework: the Guiding Principles on Internal Displacement

11. At the outset of his mandate, the Representative was requested by the Commission to undertake "an examination of existing international human rights, humanitarian and refugee law and standards and their applicability to the protection of and relief assistance to displaced persons". In 1993, the Representative presented a study reporting the results of his consultations on this issue with States, international organizations, NGOs and academic institutions and recommending a detailed compilation and analysis of international legal standards relevant to the internally displaced (E/CN.4/1993/35, para. 87). The Commission, in a decision supported by the General Assembly, expressed appreciation of the Representative's report and recommendations, and renewed his mandate in order that he could continue this work.

12. In 1994, the Representative convened a team of international legal experts and commenced preparation of a two-part compilation and analysis of international legal norms relevant to internally displaced persons. The first part, presented to the Commission in 1996 (E/CN.4/1996/52/Add.2), examined international law applicable to persons who had already been displaced. The second part, presented two years later (E/CN.4/1998/53/Add.1), examined international norms pertinent to the prevention of arbitrary displacement. Both studies concluded that while existing international law provided important protection in situations of internal displacement, there were numerous gaps or grey areas in its coverage of specific needs, and recommended addressing these lacunae in a more comprehensive framework.

13. In response to the Representative's evaluation and recommendations, the Commission called on him to "continue, on the basis of his compilation and analysis of legal norms, to develop an appropriate framework … for the protection of internally displaced persons" (resolution 1996/52). As to the form that this framework should take, the Representative and the team of legal experts determined that what was required was not to create new law in the form of a treaty but rather to restate existing international law which, while covering many aspects of relevance to internally displaced persons, was too dispersed and diffuse to be easily accessible and effectively applied and, because of the grey areas, in some cases needed to be clarified. Moreover, there was an urgent need, particularly in the field, for a clear and concise statement of the various relevant norms for addressing the specific concerns arising in situations of internal displacement. Accordingly, he opted to formulate a set of guiding principles restating, compiling and applying existing human rights, humanitarian and refugee law relevant to internally displaced persons in an easily comprehensible and practical format. The Commission and the General Assembly encouraged the Representative to proceed along these lines and, throughout the drafting process, were kept informed of progress made in this endeavour. A broad range of regional and international bodies and experts from different countries were consulted by the Representative.

14. The Guiding Principles on Internal Displacement, which were presented to the Commission in 1998 (E/CN.4/1998/53/Add.2), consolidate the numerous norms relevant to addressing the specific protection, assistance and development needs of internally displaced persons. They set forth the rights and guarantees relevant to all phases of internal displacement, providing protection against arbitrary displacement, protection and assistance during displacement, and during return or resettlement and reintegration. The Principles provide guidance to all pertinent actors: the Representative in carrying out his mandate; States faced with the phenomenon of internal displacement; all other authorities, groups and persons in their relations with internally displaced persons, including non-State actors; intergovernmental and non-governmental organizations; and, certainly, internally displaced persons themselves.

1. Responses to the Principles

15. Soon after the Principles were finalized, the Inter-Agency Standing Committee (IASC), composed of the heads of the major international humanitarian, human rights and development agencies and organizations, adopted a decision welcoming the Guiding Principles and encouraging its members to share them with their executive boards and their staff, especially those in the field, and to apply them in their activities on behalf of internally displaced persons.

16. The following month, in resolution 1998/50, which was adopted without a vote and sponsored by 55 States, the Commission, recognizing that the protection of internally displaced persons would be strengthened by identifying, reaffirming and consolidating specific rights for their protection and noting the progress made by the Representative in developing a normative framework, in particular the compilation and analysis of legal norms and the Guiding Principles, took note of the Principles, and noted with interest the IASC decision, as well as the Representative's intention to make use of the Principles in his dialogue with Governments, intergovernmental organizations and NGOs. The Commission also requested the Representative to report on his efforts in this regard and the views expressed to him, which he consistently has done in reports to the Commission.

17. In subsequent years, both the Commission and the General Assembly, in resolutions adopted without a vote and co-sponsored by States from all regions of the world, have encouraged and welcomed the dissemination, promotion and application of the Guiding Principles, welcomed the Representative's use of them in his dialogues with Governments and intergovernmental and non-governmental organizations, and requested him to continue his efforts in that regard. At its fifty-eighth session, the Commission expressed its appreciation of the Guiding Principles as an important tool for dealing with situations of internal displacement. In addition, both the Commission and the General Assembly have welcomed the fact that an increasing number of States, United Nations agencies and regional and non-governmental organizations are making use of the Principles, and encouraged their further use and application. Expressing appreciation for the dissemination and promotion of the Principles, inter alia at regional and other seminars on displacement, the resolutions further have encouraged the Representative to continue to initiate or support such seminars, in consultation with regional organizations, intergovernmental and non-governmental organizations and other relevant institutions, and to provide support for efforts to promote capacity-building in the use of the Principles.

18. The Commission also noted the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which encouraged the bodies, agencies and relevant programmes of the United Nations system and States to promote and to make use of the Guiding Principles, particularly those provisions relating to non-discrimination.

19. In his 1998 report to the Economic and Social Council on strengthening the coordination of emergency humanitarian assistance, the Secretary-General highlighted the development of the Guiding Principles as among the "notable examples" of achievements in the humanitarian field that year (A/53/139-E/1998/67, para. 10). In its agreed conclusions 1998/1, the Council made reference to the Guiding Principles, noting the IASC decision relating to them. In 1999, the Council in its agreed conclusions 1999/1 called upon all States to apply internationally recognized norms with regard to internally displaced persons and also took note that the IASC was using the Principles (para. 23). At the Council's substantive session of 2000, a number of States spoke in favour of the Principles, but some raised questions about the process by which they had been developed (see below); no agreed conclusions were adopted. In 2001, the Council opted not to adopt conclusions at the close of the humanitarian segment. Most recently, however, in resolution 2002/32 concerning the coordination of humanitarian assistance, the Council noted that an increasing number of States, United Nations organizations and regional and non-governmental organizations encouraged the strengthening of legal frameworks on the protection of internally displaced persons.

20. Use of the Principles additionally has been acknowledged at the level of the Security Council. In 1999, the Council requested the Secretary-General to submit a report containing concrete recommendations on ways the Council could improve the physical and legal protection of civilians in armed conflict. The Secretary-General, in his subsequent report, recommended that in cases of internal displacement, the Council should encourage States to follow the legal guidance provided in the Guiding Principles (S/1999/957, recommendation 7). The following year, the Secretary-General reiterated this recommendation specifically with regard to children in armed conflict (A/55/163-S/2000/712, recommendation 21), and a number of States noted the

importance of the Principles, especially as they relate to children (see S/PV.4176). In a statement of 13 January 2000, the President of the Security Council noted that United Nations agencies, regional organizations and NGOs, in cooperation with host countries, are making use of the Guiding Principles, inter alia, in Africa (S/PRST/2000/1). The same month, in its resolution 1286 (2000) on the situation in Burundi, the Council reiterated this view.

21. The Representative has intensified dialogue with those Governments that have expressed concern about the process by which the Guiding Principles were developed. In particular, over the past year a series of successful meetings have been held in New York, hosted by the Government of Switzerland, to promote constructive dialogue on the Principles. A number of Governments that in the past had voiced some concerns have expressed their appreciation for these discussions and have explained that their objective was indeed aimed at broadening the scope of support for the Principles. Towards that end, consultations are under way with the Permanent Representative of Switzerland to the United Nations and a number of delegations to organize a seminar to discuss the Guiding Principles and their application. In the meantime, the Representative continues to dialogue with Governments, including at additional meetings in New York in early 2003, convened by the Government of Switzerland and the Emergency Relief Coordinator.

2. Promotion, dissemination and application of the Principles

22. Apart from the above responses to the Guiding Principles, and as noted in greater detail in the Representative's previous reports to the Commission, significant efforts to promote, disseminate and apply the Guiding Principles have been and are still being undertaken at the national, regional and international levels by Governments, local groups, regional bodies, international agencies and NGOs, in accordance with requests by the Commission and General Assembly.

(a) National level

23. Most significantly, an increasing number of States are making use of the Guiding Principles in the development of national legislation and policy. In 2000, Angola became the first State to enact legislation expressly based on the Guiding Principles, in its "Norms on Resettlement". The following year, the Government of Burundi signed a "Protocol for the Creation of a Permanent Framework of Cooperation for the Protection of Displaced Persons", for which the promotion and application of the Principles is a key objective. In Colombia, the Constitutional Court has underlined the Principles' authority as a restatement of international law and cited them in two judgements, bolstered by a presidential directive issued in 2001. In Uganda, a draft national law on internal displacement, based on the Principles, currently is under consideration by the Government. Meanwhile, in Afghanistan, the Principles are being used as a reference for the drafting of a decree for the safe return of internally displaced persons.

24. The Principles are also proving to be a stimulus for the reform of existing legislation. In 2001-2002, the Representative, the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE), the Brookings-SAIS Project on Internal Displacement and the Georgian Young Lawyers Association co-sponsored a review by local lawyers' groups of the extent to which national

legislation in Armenia, Azerbaijan and Georgia corresponds with the Guiding Principles. In each country, meetings in which government officials, civil society and international agencies participated were held to discuss the findings and recommendations of the reviews, with important results in terms of national legislative reform. The legal reviews and seminar proceedings will be published in a book by the sponsors and the American Society of International Law in 2003, providing a model for possible replication in other parts of the world.

25. In addition, Governments continue to demonstrate an interest in participating in training workshops on internal displacement and the Guiding Principles. The Global IDP Project of the Norwegian Refugee Council (NRC), which co-sponsored, with the Office of the High Commissioner for Human Rights (OHCHR), the first training workshop on the Guiding Principles in Uganda in 1999, has been particularly active in providing training in the Principles to government officials, civil society and staff from international agencies and NGOs around the world. The newly created IDP Unit in the Office for the Coordination of Humanitarian Affairs (OCHA) is also responding to requests from Governments and other actors for training on internal displacement. In August 2002, for instance, it held a training workshop for government officials in the Sudan.

26. For his part, the Representative continues, as requested by the Commission and the General Assembly, to initiate and support seminars on internal displacement and the Guiding Principles. His mandate has co-sponsored national seminars, at which government officials have participated together with representatives of United Nations agencies, international organizations, local and international NGOs and research institutions, in Colombia in 1999 (E/CN.4/2000/83/Add.2), in the South Caucasus covering Armenia, Azerbaijan and Georgia in 2000 (E/CN.4/2001/5/Add.2), and in Indonesia in 2001 (E/CN.4/2002/95/Add.3). In April 2002, a seminar on internal displacement in the Russian Federation was co-sponsored with the Institute of State and Law of the Russian Academy of Sciences and the Partnership on Migration (see addendum 5). The Russian NGO, Memorial, subsequently decided to translate into Russian the Annotations to the Principles (see below), with references to Russian law inserted into the text.

27. National human rights institutions also constitute an important forum for the promotion of the Guiding Principles at the national level. As noted in the Representative's previous report to the Commission, the Asia Pacific Forum of National Human Rights Institutions has expressed support for a greater role for these bodies with the internally displaced, and its members have discussed the relevance of the Principles to their work. This encouraged the Sri Lankan national human rights commission to begin to include internal displacement in its activities, as described in a recent report which should provide useful guidance to national human rights institutions in other countries.[4] In the Euro-Mediterranean region, national institutions also have committed themselves to promoting the human rights of displaced persons. For countries in the Commonwealth, assisting in the implementation of the Guiding Principles has been identified as a best practice for national human rights institutions.[5] In Mexico, the Representative met with members of the national as well as Chiapas and Guerrero state human rights commissions during his mission in August to discuss their role with regard to the internally displaced. During his mission to the Philippines in November, the Representative delivered a lecture on the relevance

of the Guiding Principles to the work of national human rights institutions and met with the Chairperson and members of the Philippine human rights commission, who expressed an interest in integrating the Principles into their work.

28. The Guiding Principles are also being acknowledged and used by non-State actors. During his mission to Georgia in 2000 (E/CN.4/2001/5/Add.4), the Representative engaged in constructive dialogue based on the Principles with the de facto authorities in both South Ossetia as well as Abkhazia. Indeed, the de facto President of Abkhazia suggested that it would be useful to have the Principles translated into the Abkhaz language - an initiative which, with the support of OHCHR, came to fruition in 2002. In the Sudan, the Sudan People's Liberation Movement and Army (SPLM/A) currently is considering a draft policy on internal displacement based on the Principles, which was drafted by SPLM/A representatives in September 2002 at a training workshop in Rumbek, sponsored by the OCHA IDP Unit with the assistance and participation of the office of the Representative. At a seminar on internal displacement in southern Sudan co-sponsored by the Representative, UNICEF and the Brookings-SAIS Project in November 2002, SPLM/A officials reiterated their intention to consider a policy based on the Principles, to be submitted for ratification by SPLM/A leadership in 2003. In the course of his mission to the Philippines, November 2002, the Representative met with representatives of the Moro Islamic Liberation Front (MLLF) and stressed the relevance of the Guiding Principles.

29. Additionally, the Guiding Principles have become an important education, monitoring and advocacy tool for local civil society. In Sri Lanka, the Consortium of Humanitarian Agencies, a group of more than 50 NGOs, has been conducting an outreach programme based on the Principles for government officials, non-State actors, international organizations, international and national NGOs, and displaced communities. As part of these efforts, it has published a "Toolkit" on the Guiding Principles in English, Sinhala and Tamil, as well as a variety of other training materials for use in ongoing workshops and round tables. Similar efforts are under way in other countries around the world, for instance, in Colombia by the Grupo de Apoyo a Organizaciones de Desplazados, in Georgia by the Georgian Young Lawyers Association and in the Philippines by the Ecumenical Commission for Displaced Families and Communities.

(b) Regional level

30. The Commission and the General Assembly have welcomed the fact that an increasing number of regional organizations are making use of the Principles, in particular welcoming initiatives by the Organization of African Unity (OAU), now transformed into the African Union, the Economic Community of West African States (ECOWAS), the Organization of American States (OAS), the OSCE and the Council of Europe, and encouraged them and other regional organizations to strengthen their activities and their cooperation with the Representative, including through seminars on internal displacement.

31. Beginning with the continent most afflicted by the global crisis of internal displacement, in 1998 the Representative co-sponsored with the OAU a seminar on internal displacement in Africa, which recommended the wide dissemination of the Principles. The following year, the

OAU Commission on Refugees and Displaced Persons took note of the Principles "with interest and appreciation" and recommended to the OAU Council of Ministers that member States cooperate with the Representative in their implementation.

32. At the subregional level, in April 2000, ministers of ECOWAS States adopted a declaration at the Conference on War-Affected Children in West Africa, which welcomed the Principles and called for their application by ECOWAS member States. This declaration was subsequently adopted at the ECOWAS Summit of Heads of State and Government in December 2000. In September 2002, the office of the Representative joined a seminar on migration in West Africa for ECOWAS member States, sponsored by ECOWAS and the International Organization for Migration (IOM) and held in Dakar. Among the recommendations emerging from the seminar was the development of national laws on internal displacement using the Guiding Principles as a framework.

33. In the Americas, the Inter-American Commission on Human Rights of the OAS has welcomed and expressed its full support for the Principles, noting that they constitute "the most comprehensive restatement of norms applicable to the internally displaced" and accordingly provide "authoritative guidance on how law should be interpreted and applied during all phases of displacement."[6] Both the Commission and its Rapporteur on internally displaced persons regularly use the Principles as a benchmark for evaluating conditions in different countries, such as Colombia and Guatemala.

34. In Europe, the OSCE, after having disseminated the Principles to participating States and its field missions, increasingly has focused on their application. In September 2000, OSCE/ODIHR convened a meeting on migration and internal displacement, the principal aim of which was to elaborate ways in which OSCE institutions, field operations and participating States could enhance their response to internal displacement, in particular through the practical application of the Principles. At the OSCE Human Dimension Implementation meeting the following year, several States spoke in support of an enhanced role for the OSCE with regard to internal displacement. The regional seminar on internal displacement in the South Caucasus, as well as the follow-up review of national legislation, which was co-sponsored by ODIHR/OSCE together with the Representative, provide examples of how the OSCE is actively supporting the promotion and application of the Principles at the country level.

35. The Council of Europe also has become engaged with the issue of internal displacement, in particular through the activities of the Parliamentary Assembly's Committee on Migration, Refugees and Demography, which has, for example, undertaken fact-finding missions to situations of internal displacement and recommended respect for the Principles. In September 2001, the Committee, together with the Representative, OHCHR and the Brookings Project, jointly convened a seminar on internal displacement and application of the Guiding Principles in Europe. As a follow-up to this meeting, the Committee has appointed a rapporteur on internal displacement and is preparing a report containing recommendations to Council of Europe member States, for consideration by the Assembly.

36. In 2000, a regional conference on internal displacement in Asia was convened in Bangkok hosted by Forum Asia and the University of Chulalongkorn, and co-sponsored by UNHCR, the Brookings Project, NRC, and the U.S. Committee for Refugees. Participants, who

came from 16 Asian countries and included representatives of national human rights commissions, academic and research institutions, local, regional and international NGOs, the media and international organizations, agreed on the importance of disseminating and promoting the Principles in the region, urged their observance by Governments and all relevant actors, and recommended that the national human rights commission focus attention on internal displacement and promote application of the Principles.

37. Looking ahead, plans are under way for the Representative to co-sponsor seminars with the Commonwealth and with the Intergovernmental Authority on Development to raise awareness and promote the dissemination and use of the Principles by these bodies and their member States. The Representative also hopes to see regional bodies like the Association of South-East Asian Nations, the League of Arab States, the South Asian Association for Regional Cooperation and the Southern African Development Community consider ways to integrate internal displacement and the Principles in their work.

(c) International level

38. As mentioned earlier, in 1998 the IASC welcomed the Guiding Principles and encouraged its members to apply them in their activities on behalf of internally displaced persons. Since that time, United Nations and other international humanitarian and development organizations as well as human rights bodies have undertaken significant efforts to integrate the Principles into their work around the world. Indeed, the initiatives in this regard taken by the various individual agencies and organizations, which have been highlighted in previous reports, have included: disseminating the Principles; incorporating them into organizational policy; training for staff as well as government officials and civil society; translation and publication of the Principles into local languages; using the Principles for monitoring and reporting on situations of internal displacement and for advocacy; and assisting Governments and other authorities in the development of national law and policy based on the Principles.

39. Within the United Nations human rights mechanisms, a number of the Commission's special procedures, both country and thematic, as well as the human rights treaty bodies increasingly are focusing on internal displacement and integrating the Guiding Principles into their work. The High Commissioner has referred to the Principles in advocacy efforts and OHCHR has supported the translation and publication of local language versions, developed training materials in collaboration with the NRC and the IASC, and co-sponsored seminars on the Principles in collaboration with the Representative. The new High Commissioner has indicated an interest in his Office's deepening its involvement in the promotion, dissemination and application of the Principles.

40. Collectively, IASC members also have adopted a policy on the protection of IDPs as well as developed training modules based on the Principles. Moreover, both the Senior Inter-Agency Network established by the IASC in 2000 and the IDP Unit created within OCHA in 2002 have made the Guiding Principles their framework (see below).

41. NGOs, both within and outside of the IASC, remain at the forefront of efforts to promote, disseminate and apply the Principles. Special mention must be made of the NRC Global IDP Project, for which promotion of the use of the Guiding Principles is one of its primary missions.

It has been particularly active in monitoring and reporting on its database on conditions of internal displacement in light of the Principles and in delivering training on the Principles in countries around the world. Many other international NGOs are using the Principles as a monitoring and advocacy tool, including Amnesty International, HelpAge International, Human Rights Watch, Refugees International, Save the Children, U.S. Committee for Refugees, and the Women's Commission for Refugee Women and Children.

(d) Worldwide dissemination efforts

42. As an indication of the increasing use and relevance of the Guiding Principles in different parts of the world, they continue to be translated into a growing number of languages through the combined efforts of United Nations agencies, the Brookings-SAIS Project, NGOs and Governments. Initially made available in the official languages of the United Nations (Arabic, Chinese, English, French, Russian and Spanish), the Principles have since been translated into 26 additional languages: Abkhaz, Albanian, Armenian, Azerbaijani, Bahasa Indonesia, Burmese, Cebuano, Chin, Dari, Dinka, Georgian, Luo, Kirundi, Macedonian, Maguindanao Pashtu, Portuguese, Serbo-Croat, Sgaw Karen, Sinhala, Somali, Swahili, Tagalog, Tamil, Tetum and Turkish, for a total of 32 language versions in all. Several of these translations of the Principles have been published in pamphlet form and most are posted on the web site of OHCHR (*www.ohchr.org*) and of the Brookings-SAIS Project (*http://www.brook.edu/dybdocroot/fp/projects/idp/idp*). Moreover, to reach wider audiences, popularized versions of the Principles are being developed, such as a cartoon illustration of the Principles in Bahasa, Indonesia, sponsored by international agencies and NGOs working in Indonesia.

43. To facilitate the practical application of the Principles, the Representative has supported the development of supplementary materials. In 1999, the Brookings Project and OCHA published a *Handbook for Applying the Guiding Principles*, clarifying in accessible language the content of the Principles and spelling out ways of promoting their application. The Handbook has been translated into Albanian, Bahasa Indonesia, French, Macedonian, Portuguese, Russian and Spanish. Also in 1999, the IASC developed a *Manual on Field Practice in Internal Displacement*, providing examples from around the world on initiatives undertaken by United Nations agencies and NGOs to address the protection, assistance and development needs and rights of internally displaced persons as provided for in the Principles. In 2000, the American Society of International Law and the Brookings Project published Professor Walter Kälin's *Annotations to the Guiding Principles on Internal Displacement*, describing the basis in international law for each of the 30 Principles. Most recently, in 2002, the Brookings Project published a booklet on *Recent Commentaries about the Nature and Application of the Guiding Principles on Internal Displacement.*

B. Towards effective institutional arrangements

44. Reviewing and making recommendations on international institutional arrangements for providing protection and assistance to internally displaced persons has always been a key component of the work of the mandate. It will be recalled that the Representative, early into his mandate, weighed a number of options for institutional arrangements: the creation of a new specialized agency for the internally displaced; the designation of an existing agency to assume

responsibility; and collaboration among the various relevant agencies. Over the past decade, the last option has proven to be the one preferred by the United Nations system, although historically, the collaborative approach has not always proven adequate and it still needs a good deal of strengthening.

45. Indeed, the number of United Nations offices and agencies having a role to play in protecting and assisting internally displaced persons has steadily increased since the Representative began his work and now includes: the Food and Agriculture Organization of the United Nations, the International Labour Organization, OHCHR, UNHCR, the United Nations Development Programme, UNICEF, the World Food Programme, the World Health Organization and, outside the United Nations, the International Committee of the Red Cross and the other components of the International Red Cross and Red Crescent Movement and IOM. While the involvement of these and other organizations with the plight of internally displaced persons certainly has been a welcome development, it has also brought significant challenges in the coordination of their activities.

46. It should be recalled that in 1990, the General Assembly assigned to United Nations Resident Coordinators the responsibility for coordinating assistance to internally displaced persons in the field. In 1991, the Assembly created the post of Emergency Relief Coordinator (ERC) to coordinate the systemwide response to emergency situations, and the following year established the IASC in which all the major humanitarian and development agencies and NGO umbrella groups participate. Although an Inter-Agency Task Force on Internally Displaced Persons, in which the Representative participated, was created, it remained true, as the Secretary-General highlighted in his July 1997 programme for United Nations reform, that providing protection and assistance to internally displaced persons was a humanitarian challenge that continued to fall between the gaps of the existing mandates of the various agencies.

47. To address these gaps, the ERC was assigned responsibility for ensuring that the protection and assistance needs of internally displaced persons are effectively addressed by the different agencies. The ERC called upon all IASC members to designate a focal point on internal displacement. The IASC, meanwhile, issued to the Representative a standing invitation to the IASC and its subsidiary bodies, and its Working Group made the issue of internally displaced persons a standing item on its agenda. These were important steps in facilitating inter-agency coordination on internal displacement, leading to achievements in a number of areas.

48. To begin with, a system of information collection and dissemination on internal displacement was created. In his early reports to the Commission, the Representative repeatedly had raised, and the Commission reiterated, the need for a comprehensive system of gathering and disseminating data on internally displaced persons as a basic first step towards addressing their needs. In 1998, the IASC Working Group decided to "outsource" to NRC responsibility for developing a comprehensive database on internal displacement. The database created and managed by NRC's Global IDP Project (*www.idpproject.org*) is an invaluable resource tool, which also serves to raise awareness and facilitate understanding of the conditions of internally displaced persons in some 50 countries worldwide.

49. As the Representative has repeatedly underscored in his reports and statements, protection has consistently been the weakest element in the international response. Part of the

problem, the ERC suggested to the Representative, was the absence within the collaborative approach of a common understanding of protection. To address this conceptual gap, in 1999, the Representative, together with the ERC and OHCHR, produced a joint paper spelling out the meaning of protection for internally displaced persons. This paper then became the basis for an IASC policy paper on the issue, adopted by the heads of agencies in December 1999, and subsequently published by OCHA as a booklet for wide dissemination. Given that protection has been the main gap in the international response but one which humanitarian and development agencies historically have been reluctant to address, the significance of this inter-agency policy on the protection of internally displaced persons cannot be overstated. To be sure, a policy paper alone is not adequate. However, in articulating agencies' acknowledgement of internally displaced persons' protection needs and their individual as well as shared responsibilities for addressing these needs, the paper introduces into the international system a much-needed sense of accountability for closing the protection gap.

50. Another long-standing concern identified by the Representative and echoed by the Commission has been the absence of a funding mechanism for programmes to address the specific needs of internally displaced persons. In 2000, with the support of UNICEF and the Brookings Project, the Representative commissioned a study on the degree to which the Consolidated Appeals Process (CAP) for that year addressed issues of internal displacement.[7] The study found that while most of the appeals acknowledged the special vulnerabilities of the internally displaced and many project activities took these into account, there remained considerable scope to enhance United Nations country teams' attention and response to specific situations, especially in the area of protection. The IASC Working Group welcomed this report and disseminated it to country teams so that they could take its findings and recommendations into account in preparing future appeals. The Representative continues to be actively involved in monitoring and promoting greater resource mobilization to address the plight of internally displaced persons, including through his active participation in the annual global launches of the CAP.

51. Of course, the real test of the adequacy of these and other measures undertaken to enhance the international response is in their impact on improving the conditions of internally displaced persons on the ground. Notwithstanding the progress made, the international response continued to suffer from significant gaps, and of such severity as to have warranted the attention of the Security Council. In January 2000 the Council expressed "grave concern that alarmingly high numbers of internally displaced persons do not receive sufficient protection and assistance (S/PRST/2000/1)". The diffusion of responsibility among various agencies, some Governments pointed out, had created a system where accountability and leadership were sorely lacking, leading to renewed calls for designating a single agency with responsibility for the internally displaced. The situation in Angola, one of the world's most serious crises of internal displacement, was cited as epitomizing a system of collaboration that was failing the internally displaced.

52. In the end, the United Nations response was to continue the existing approach of collaboration among the various agencies but to commit to improving its implementation. As a first step, the IASC issued to humanitarian/resident coordinators, as well as the head of any designated "lead agency" in a country, "Supplementary Guidance" on their responsibilities for internally displaced persons. While this document simply restated responsibilities that had

existed for upwards of a decade, it called attention to this responsibility (of which in several cases over the years coordinators had indicated they were unaware) and elaborated as to what it entails. For instance, it includes ensuring that not only assistance but also protection needs are effectively addressed as well as impressing upon national and local authorities their primary responsibility to protect and assist internally displaced in conformity with the Guiding Principles.

53. In a second step, in September 2000, the IASC established a Senior Inter-Agency Network on Internal Displacement, chaired by a Special Coordinator on Internal Displacement appointed within OCHA, charged with undertaking several country reviews and, on this basis, making recommendations for an improved inter-agency response. The office of the Representative participated in the work of the Senior Network, including in a number of its country missions, which consistently found that attention to protection needs remained the most critical shortcoming in the international response.

54. Upon the recommendation of the Special Coordinator and with the approval of the ERC and the Secretary-General, in January 2002 an IDP Unit was established within OCHA, with additional staff seconded by IASC agencies and NGOs, to support the ERC in coordinating an effective operational response to internal displacement. In particular, the Unit is to monitor situations of internal displacement and identify gaps in the operational response; further develop inter-agency policies; provide training, guidance and expertise to Resident/Humanitarian Coordinators, United Nations country teams and humanitarian organizations, including in the formulation of strategies to ensure protection, assistance and durable solutions; mobilize the necessary resources; support advocacy efforts, including those of the Representative; and promote linkages among the political, humanitarian and development sectors of response.

55. The Representative strongly supported the establishment of the Unit, having pointed out over the years the importance of having a central coordinating mechanism to guide the collaborative approach. Indeed, the Unit's activities are recognized as complementary and mutually reinforcing of the Representative's own efforts to enhance the overall response to the global crisis of internal displacement.

56. In April 2002, the Representative and the ERC signed a memorandum of understanding spelling out areas and modalities of cooperation between the Representative and the Unit. These include: developing strategies for the promotion, dissemination and application of the Guiding Principles; coordinating field visits to maximize impact, building upon one another's findings and ensuring meaningful follow-up; collaborating in the development of policy and action-oriented research; joint activities, such as seminars, publications and other initiatives to identify best practices in the application of the Principles; and joint advocacy. One important joint initiative currently being undertaken by the Representative and the Unit is a systematic survey of protection concerns and effective strategies for addressing these at field level, the report of which will be published in 2003. To facilitate coordination between the mandate and the Unit in these and other areas, the Representative has seconded a staff person to the Unit, with support from the Government of Austria.

C. Country focus

57. Country missions are also a key component of the work of the mandate and are essential to deepening understanding of situations of internal displacement on the ground. Through

dialogue with Government, civil society, displaced populations, the United Nations team in the country and other international partners, the Representative has endeavoured during his missions both to gather information about the situation of the internally displaced as well as to engage in and foster dialogue among the various relevant actors to facilitate an improved response.

58. Since his appointment in 1992, the Representative has undertaken 25 missions, to the following countries and territories: Angola, Armenia, Azerbaijan, Burundi (twice), Colombia (twice), East Timor, El Salvador, Georgia, Indonesia, Mexico, Mozambique, Peru, Philippines, Rwanda, Russian Federation, Somalia, Sri Lanka, Sudan (three times), Tajikistan, Turkey and the countries of the former Yugoslavia.

59. Four of these visits - to Mexico, the Philippines, the Sudan, and Turkey - occurred since the last session of the Commission, and are reported on in detail in the reports contained in Addenda 1-4. In the cases of Mexico and Turkey, the Representative has made specific recommendations encouraging much greater involvement on the part of the United Nations country team with the internally displaced given the significant changes that have occurred in both countries. In the Sudan and the Philippines, the Representative underscored the need for international support to help those displaced persons who were beginning to return, while at the same time focusing attention on the protection and assistance needs of those still displaced.

60. In August 2002, the Representative received an invitation to visit the Russian Federation, including the Republics of Ingushetia and Chechnya, in response to his request of 22 March 2000 to undertake a second official mission to the country (he visited the capital in 1992). At the request of the Government, the Representative's mission was to be undertaken jointly with the Special Rapporteur on violence against women. Scheduled to occur in early September, the mission was postponed by the Government to the end of the month when it was further postponed, due to the security situation in the region. The Representative is eager to receive word from the Government as to new dates for the visit. In the meantime, he remains concerned with others in the international community about the closure of several displaced persons' camps in Ingushetia since the summer and the reported plan to close all remaining camps, which has serious implications for voluntary return, in safety and dignity, to Chechnya. The Representative, who is of the view that it is through constructive dialogue with the national authorities that internal displacement can be addressed most effectively, has expressed his concern to the Government and reiterated his hope to have the opportunity to dialogue with the authorities more directly during a visit to the country in 2003.

61. Looking ahead, plans are being developed for a number of other country visits. In particular, the Representative has expressed his wishes to the respective Governments to undertake official visits to Afghanistan, Côte d'Ivoire, the Democratic Republic of the Congo, Liberia, Myanmar, Sierra Leone and Uganda as well as a third visit to Colombia to continue with the new administration the constructive dialogues initiated during his visits in 1994 and 1999.

D. Research and publications

62. The fourth pillar of the Representative's mandate has been to undertake and promote research on the global crisis of internal displacement, its causes, consequences and solutions. He has done so primarily with the support of the Brookings-SAIS Project on Internal Displacement,

an independent research institution, which he co-directs together with Roberta Cohen, Erin Mooney as Deputy Director, and a small but highly motivated and dedicated staff, which has supported the mandate not only with its research agenda, but in all its activities. Over the course of the past decade, the Project has built up an extensive body of research relevant to the various areas of work of the mandate.

63. Alongside the legal and institutional reviews described above, the Representative undertook the first in-depth studies of internal displacement, namely: *Protecting the Dispossessed* (Brookings: 1993); *Masses in Flight: The Global Crisis of Internal Displacement* (Brookings: 1998) co-authored with Roberta Cohen; *The Forsaken People: Case Studies of the Internally Displaced* (Brookings: 1998) co-edited with Roberta Cohen. These last two studies were undertaken at the suggestion of Secretary-General Boutros Boutros-Ghali. The current Secretary-General, Kofi Annan, then suggested the publication of the popularized version, *Exodus Within Borders* (Brookings: 1999), authored by David A. Korn. These publications provide a global overview of the crisis of internal displacement, individual country case studies, an analysis of the existing legal and institutional frameworks, an examination of the role of regional organizations and NGOs, and strategies and recommendations for improved response at all levels. With the publication of these studies, the Representative considers that the major task of defining the basic contours and characteristics of the problem of internal displacement as well as of existing legal and institutional frameworks for response is largely complete.

64. Attention has recently turned to the study of particular aspects of the problem of internal displacement and the search for solutions. In this connection, the Project has published papers by distinguished researchers as well as its own staff on a number of subjects, including: development strategies for internally displaced women; the relief to development gap; the issue of political participation; trends in the Americas; the CAP; the response of the United States Government and European Governments to internal displacement; the role of national human rights commissions; a selected bibliography on internal displacement; recent commentaries on the Guiding Principles; and the situation of internally displaced persons in Iraq. Forthcoming publications include the aforementioned book reviewing the national legislation of Armenia, Azerbaijan and Georgia in light of the Guiding Principles; a paper on development-induced displacement; a summary report of the stock-taking seminar held in Vienna in December 2002; a collection of Project papers on the issue of when displacement ends; a special issue of *Forced Migration Review* on the same subject; and the protection survey undertaken in collaboration with the OCHA IDP Unit.

65. Additional research is under way on a variety of topics including: an analysis of national responsibility; the role of non-State actors; the role of peacekeepers; the role of ECOMOG, the ECOWAS Ceasefire Monitoring Group, with the internally displaced in Liberia and Sierra Leone; the development of a comprehensive protection regime for internally displaced persons and refugees; a manual for internally displaced persons on human rights mechanisms; an examination of the Guiding Principles with regard to customary international law; and a compendium of relevant university and training course syllabi.

66. In addition, with his affiliation as of June 2002 with Johns Hopkins University's School of Advanced International Studies (SAIS), the Representative has begun to establish a Centre for Displacement Studies. This centre will develop courses, support scholarships, and foster further

academic research on the causes, consequences and solutions of displacement. In spring 2003, the Representative will inaugurate the centre's activities by teaching a course on internal displacement to graduate students at SAIS. Longer term, it is envisaged that visiting scholars will be brought to the centre to enrich its curriculum and research activities.

IV. ASSESSMENT OF THE PROGRESS MADE AND REMAINING CHALLENGES

67. The last 10 years have seen a dramatic increase in international attention to the issue of internal displacement, which may now be said to figure on policy-makers' agenda as a major humanitarian and human rights issue. Moreover, the notion of sovereignty as responsibility, which is at the core of the Representative's approach and an essential key to effective national and international responses to internal displacement, has been acknowledged by the many Governments with which the Representative has engaged in dialogue and can therefore be said to be growing in international stature. The overall challenge is one of operationalizing the notion of sovereignty as responsibility and injecting greater accountability at the national, regional and international levels of response.

68. While the concept of sovereignty as responsibility underpins all aspects of the work of the mandate, it is particularly pertinent to the normative framework embodied in the Guiding Principles. The Principles have clearly come to constitute an important guide for Governments, regional bodies, international organizations and NGOs alike in their work on behalf of internally displaced persons, who themselves are finding the Principles to be an empowerment tool.

69. The Representative will continue to support further efforts for the promotion, dissemination and application of the Principles. In particular, he hopes to encourage more States to bring their policies and legislation into line with them. He has found that a particularly effective means of stimulating such efforts in this regard has been to convene national and regional seminars bringing the various relevant actors together to discuss the situation of internal displacement in a particular country or region and explore strategies for response. He is pleased that the IDP Unit has begun to convene such seminars as well. To promote local capacity-building, as requested by the Commission, international assistance will be needed to lend support to OHCHR and other bodies to provide technical cooperation and advisory services to promote the human rights of internally displaced persons.

70. However, greater efforts need to be made towards ensuring systematic application of the Guiding Principles on the ground. Even in those States that have adopted explicit laws or policies based on the Principles, there frequently remain significant discrepancies between stated norms and actual implementation. The review of the content and application of national legislation by local lawyers' groups in the South Caucasus provides one example of how to promote greater understanding and enhanced implementation of national legislation as well as identify and stimulate needed legislative reforms. The Representative hopes to support a similar exercise in other regions as well. Moreover, research under way by the Project on national responsibility as well as on the role of non-State actors should shed light on additional means for promoting greater accountability at the national level. In parallel, greater engagement by national human rights institutions as well as the United Nations human rights treaty bodies and special mechanisms in promoting, monitoring and reporting on the rights of internally displaced

persons in the light of the Principles stands to contribute to greater accountability within countries. In this connection, the Representative is pleased that the Secretary-General and other senior United Nations officials are increasingly issuing statements and undertaking diplomatic dialogues with Governments on behalf of displaced populations. It is also important that regional organizations are playing a stronger role in monitoring situations of internal displacement in affected countries.

71. In the area of international institutional arrangements, progress has been mixed. On the one hand, a wide range of humanitarian and development agencies, human rights mechanisms and regional bodies have come to focus attention on internal displacement and acknowledge their responsibilities for addressing the protection and assistance needs of the internally displaced. The issue of internal displacement has been integrated into inter-agency discussions, resulting in the creation of a system of data-collection, the identification of best field practices, the development of training modules and the adoption of a common policy on protection. However, the fact that millions of internally displaced persons continue to go without adequate assistance and protection, even in areas where international access is possible, lays bare that increased attention to the plight of internally displaced persons does not assure comprehensive coverage in response. Overall, the response remains ad hoc, selective and incomplete, with too many internally displaced persons slipping through the net.

72. The international community expressly has opted for the collaborative approach and in recent years has taken steps to strengthen the inter-agency coordination so critical to its effectiveness. Mechanisms, namely the ERC and the OCHA IDP Unit, have been charged with eliminating the gaps in response and efforts have been made to improve accountability among the different actors, including through the adoption of common policies and the issuance of guidance documents to staff in the field. However, the basic framework of responsibility has been theoretically in place for years, whereas, in fact, the commitment and effectiveness of resident coordinators, humanitarian coordinators and lead agencies in actually ensuring assistance and especially protection of the internally displaced varies considerably from country to country. The periodic issuance by the IASC of "supplementary" reminders of responsibility suggests that there are significant gaps in the attention and response on the ground. Indeed, in a number of recent country missions, the Representative has found considerable improvement in the official policy on the issue of internal displacement, contrasted with a continuing passivity, even reluctance, on the part of United Nations country teams to become meaningfully engaged in addressing the assistance and especially protection needs of the internally displaced, presumably building on the old policy climate.

73. The international community must continue to work towards ameliorating persistent gaps in the existing system of response and, should these continue long term, also be ready to review existing institutional arrangements. While the collaborative approach is now widely accepted, all three options originally identified by the Representative - the creation of a new agency dedicated to protecting the internally displaced, the designation of this responsibility to an existing agency, and collaboration among the various relevant agencies - still has its advocates and supporters. Without prejudice to the currently preferred approach and how it can be improved upon, the Representative will continue to study their feasibility as the most effective means of ensuring protection and assistance for the internally displaced.

74. The real test of national and international responses to specific situations will continue to be in specific situations on the ground. The Representative has undertaken 25 country missions since his appointment and plans to continue to visit as many countries as resources will allow. Overall, these visits have been successful in opening dialogue, bringing the Guiding Principles to the attention of national and local authorities, galvanizing greater national and international involvement, and providing a voice for internally displaced populations. However, the Representative has found it difficult, largely because of resource constraints, to effectively follow up on his missions in order to ensure that promises are kept and his recommendations addressed. In this connection, cooperation between the Representative and OCHA's new IDP Unit to build upon their respective findings and ensure meaningful follow-up is promising. The Representative also hopes to broaden partnerships with local civil society and international NGOs for help in monitoring implementation of his recommendations and enhancing responses to specific situations. The role of donor Governments can also be important in this regard.

75. In undertaking country missions, it should be noted that States which refuse entry for official missions are ironically rewarded by a lack of international attention, while cooperative States are reported upon and scrutinized. Paradoxically, it is precisely those States least willing to engage on questions of internal displacement where the problem is often severe and where the attention of the international community is most urgently needed. Country missions, therefore, cannot be the only means of focusing on the conditions of internally displaced persons and formulating recommendations for improved response. In several cases, the Representative has addressed this issue through sustained discussions and dialogues with Governments, which may result in his being invited to undertake a mission. For example, in the case of Turkey, after a period of constructive engagement, the Representative was invited to visit the country on a mission which produced promising results.

76. The work of the mandate in all of these areas - raising awareness of the global crisis of internal displacement, developing an appropriate normative framework, promoting more effective institutional arrangements, and evaluating responses in specific countries - has been underpinned by an extensive body of research which has served to deepen understanding both of the phenomenon of internal displacement and what is required to address it effectively. Particularly gratifying is that the Project's studies and publications also have stimulated what is now a burgeoning field of research in this area, as clearly evidenced in the Project's bibliography published in 2001. The Representative, together with colleagues at the Brookings-SAIS Project, will continue to undertake policy-relevant "action-oriented" research designed, above all, to foster improved response to the global crisis of internal displacement.

77. With the scope of internal displacement worldwide undiminished and many of its victims still without adequate protection, assistance and solutions, this is not a time for the Representative and the international community to become complacent. Rather, now that awareness of the crisis has been raised, a normative framework developed, institutional reforms initiated, the situation on the ground better understood, and a knowledge base on internal displacement well developed, it is critical to continue to build upon the progress and momentum achieved over the past decade so as to be able to address effectively the considerable challenges that remain.

V. CONCLUSION

78. **The Representative has always made a point of concluding his country mission reports by calling attention to the underlying causes of internal displacement, and finds it appropriate to do the same in concluding this tenth anniversary report. No strategy for ameliorating responses to the problem of internal displacement can ultimately be successful in the long term if its causes are not also addressed.**

79. **Inevitably, each situation of displacement has its distinct characteristics and its own political, ethnic, religious, class, geographic and historical dynamics. However, through his study of the issue and especially his country missions, the Representative has found that a common thread linking most situations of large-scale displacement is that they are precipitated by a crisis of national identity and of the related cohesiveness that binds a Government to its people. The breakdowns associated with this crisis are usually occasioned by structural problems, including gross disparities of wealth and opportunity among different groups of people and geographic areas, marginalization and discrimination on the basis of race, ethnicity, religion, culture and gender, failures of democratic governance, and a lack of respect for human rights and the rule of law. Unless these structural defects and the societal cleavages they create are addressed, durable peace, security and stability are bound to be elusive and situations of displacement never truly resolved.**

80. **In keeping with the view of sovereignty as responsibility, it is the responsibility of States to seek and find their own appropriate solutions to these problems. However, the Representative believes that it is also the responsibility of the international community to ensure that it does not shy away from supporting durable political solutions to internal conflict.**

81. **While this emphasis on addressing root causes is not new or even unique to the issue of internal displacement, much work remains to translate it into effective action. Doing so will depend upon the active engagement of concerned persons at all levels: Governments, civil society, regional bodies, the United Nations and its specialized agencies, NGOs as well as internally displaced persons themselves. With the end of his tenth year serving the mandate focused on the problem of internal displacement, the Representative is committed to rededicating himself to fostering this kind of solutions-oriented collaboration and calls upon partners and friends, old and new, to join in this important endeavour.**

Notes

[1] See background paper prepared for the meeting by Professor Thomas G. Weiss, "International Efforts for IDPs After a Decade: What Next?", December 2002.

[2] See "Internally Displaced Persons, Health and WHO", Paper presented by the World Health Organization at the humanitarian affairs segment of the substantive session of the Economic and Social Council for 2000, p. 5.

[3] It has also increasingly gained international support as reflected, for example, in the report of the Canadian-sponsored International Commission on Intervention and State Responsibility: *The Responsibility to Protect*, Ottawa, Canada, International Development Research Center, 2001.

[4] Mario Gomez, *National Human Rights Commissions and Internally Displaced Persons, Illustrated by the Sri Lankan Experience*, Brookings-SAIS Project on Internal Displacement, July 2002.

[5] *National Human Rights Institutions Best Practice*, Commonwealth Secretariat, 2001, p. 33.

[6] Inter-American Commission on Human Rights, Third Report on the Human Rights Situation in Colombia, OEA/Ser.L/V/II.102, Doc. 9 rev.1, chap. VI, pp. 10, 26, February 1999. See also Inter-American Commission on Human Rights, Fifth Report on the Situation of Human Rights in Guatemala, OEA/Ser.L/V/II.111, Doc. 21 rev., chap. XIV, 12, 6 April 2001.

[7] James Kunder, *The Consolidated Appeals and IDPs: The Degree to Which UN Consolidated Inter-Agency Appeals for the Year 2000 Support Internally Displaced Populations*, Brookings Project on Internal Displacement and UNICEF, August 2000.

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